

**REMARKS**

Applicants have amended the title of the invention to be more descriptive of the claimed invention as required by the Examiner.

Applicants thank the Examiner for indicating that claims 2-4, 7, 9, 10 and 14 contain allowable subject matter and for indicating that claim 15 is allowable. Applicants have respectfully maintained claims 2-4, 7, 9, 10 and 14 in their dependent form due to the allowability of their respective base claims as detailed below.

Claims 1, 5, 6 and 8 stand rejected under 35 USC 102(b) on Suzuki (U.S. Patent Publication No. 2003/0049039). Applicants respectfully traverse the rejection.

Claim 1 recites “a control unit which calculates ... the position of the toner pattern based on the output value from the first light-receiving element.” Suzuki does not disclose or suggest such a feature. Suzuki discloses an image forming apparatus having a “density controlling mechanism,” wherein the density controlling mechanism comprises an LED 13c which is used to illuminate a patch image and two photodiodes 13e and 13f which are used to measure the reflected p-wave and s-wave light such that the toner density of the patch image may be determined. Suzuki makes no mention of determining the position of a toner pattern. Accordingly, Suzuki does not disclose or suggest all of the features recited in claim 1, which is therefore allowable over Suzuki.

Claim 8 recites features substantially similar to those discussed above and is therefore also allowable over Suzuki. Claims 5 and 6 depend from allowable claim 1 and are therefore allowable due at least to their dependency.

Claims 1, 5, 6, 8 and 11-13 stand rejected under 35 USC 102(b) on Kanbayashi (U.S. Patent No. 4,796,065). Applicants respectfully traverse the rejection.

Kanbayashi also fails to disclose or suggest “a control unit which calculates ... the position of the toner pattern based on the output value from the first light-receiving element” as recited in claim 1. As with Suzuki, Kanbayashi merely discloses an image forming apparatus having a density

control feature that utilizes a light source and two sensors to control toner density. Kanbayashi does not disclose or suggest determining the position of a toner pattern. Claim 1 is therefore allowable.

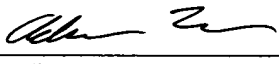
Claim 8 recites features substantially similar to those discussed above and is therefore also allowable over Kanbayashi. Claims 5, 6 and 11-13 depend from allowable claims and are therefore allowable due at least to their respective dependencies.

Applicants solicit an early action allowing the claims.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicants petition for any required relief, including extensions of time, and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Docket No. 325772035700.

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Respectfully submitted,

By   
Adam Keser  
Registration No. 54,217  
MORRISON & FOERSTER LLP  
1650 Tysons Blvd, Suite 300  
McLean, Virginia 22102  
(703) 760-7301 - Telephone  
(703) 760-7777 - Facsimile